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9 UNITED STATES BANKRUPTCY COURT

10 DISTRICT OF NEVADA

11 In re:

12 USA COMMERCIAL MORTGAGE
13 COMPANY,

14 USA CAPITAL REALTY ADVISORS,
15 LLC,

16 USA CAPITAL DIVERSIFIED TRUST
17 DEED FUND, LLC,

18 USA CAPITAL FIRST TRUST DEED
19 FUND, LLC,

20 USA SECURITIES, LLC,

21 Debtors.

22 Case No. BK-S-06-10725-LBR
23 Case No. BK-S-06-10726-LBR
24 Case No. BK-S-06-10727-LBR
25 Case No. BK-S-06-10728-LBR
26 Case No. BK-S-06-10729-LBR

27 CHAPTER 11

28 Jointly Administered Under Case No.
29 BK-S-06-10725-LBR

30 **Notice to Edward & Leah Kline
31 Family Trust Dtd 7/9/91 of Motion
32 For Summary Judgment Regarding
33 Claim No(s). 10725-00547**

34 Affects:

35 All Debtors
36 USA Commercial Mortgage Company
37 USA Capital Realty Advisors, LLC
38 USA Capital Diversified Trust Deed Fund, LLC
39 USA Capital First Trust Deed Fund, LLC
40 USA Securities, LLC

41 **NOTICE IS HEREBY GIVEN** to Edward & Leah Kline Family Trust Dtd 7/9/91
42 that on July 30, 2007, the USACM Liquidating Trust (“USACM”) filed a Motion for
43 Summary Judgment related to Claim No(s). 10725-00547 (the “Motion”). Along with this

1 notice, USACM is serving Edward & Leah Kline Family Trust Dtd 7/9/91 with a copy of
 2 the Motion.

3 Edward & Leah Kline Family Trust Dtd 7/9/91 asserted secured claim(s) against
 4 USA Commercial Mortgage Company. The Motion disputes your assertion of secured
 5 claim status and asks the Court to reclassify your claim(s) as a general unsecured claim(s).
 6 This is not an objection to your claim as a direct lender or to the security interest you as a
 7 direct lender may have in your borrowers' property as collateral. Rather, the Motion
 8 argues that your claim(s) are not secured by property of the bankruptcy estate.

9 **NOTICE IS FURTHER GIVEN** that any opposition to the Objection/Motion
 10 must be filed pursuant to Local Rule 9014(d)(1). **PLEASE DO NOT CONTACT THE**
 11 **CLERK OF THE COURT OF THE BANKRUPTCY COURT TO DISCUSS THE**
 12 **MERITS OF YOUR CLAIM.** If you do not want the Court to grant the relief sought in
 13 the Objection/Motion, or if you want to explain why you believe your claim(s) are secured
 14 claim(s) or otherwise want the Court to consider your views on the Objection/Motion, then
 15 you must file an opposition to the Motion with the Court, and serve a copy on the USACM
 16 Liquidating Trust **NO LATER THAN AUGUST 17, 2007**. The opposition must state your
 17 position, set forth all relevant facts and legal authority, provide relevant documents that
 18 support your claim to secured status, and be supported by affidavits or declarations that
 19 conform to Local Rule 9014(c).

20 If you object to the relief requested in the Objection/Motion, you *must* file a
 21 **WRITTEN** response to this pleading with the Court. You *must* also serve your
 22 written response to the person who sent you this notice.

23 If you do not file a written response with the Court, or if you do not serve your
 24 written response on the person who sent you this notice, then:

25 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
 26 • The Court may *rule against you* without formally calling the matter at the
 27 hearing.

28

NOTICE IS FURTHER GIVEN that the hearing on the Objection/Motion will be held before a United States Bankruptcy Judge, Courtroom No. 1, Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 on **October 15, 2007** at the hour of **9:30 a.m.** The hearing may be continued from time to time with notice to the appearing parties.

Dated July 30, 2007.

LEWIS AND ROCA LLP

By /s/ RC (#6593)
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